

ORDINANCE No. 117989

me

Law Department

COUNCIL BILL No. 111091

INDEXED

The City of Seattle--Legislative Department

AN ORDINANCE vacating portions of South Washington Street from 1st Avenue South to 10th Avenue South, and of 10th Avenue South from 1st Avenue South to 10th Avenue South, in the City of Seattle, King County, Washington, and declaring the emergency.

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that it

COMPTROLLER FILE No. _____

Introduced: JAN 16 1996	By: MANNING
Referred: JAN 16 1996	To: Full Council
Referred:	To:
Referred:	To:
Reported: JAN 22 1996	Second Reading: JAN 22 1996
Third Reading:	Signed: JAN 22 1996
Presented to Mayor: JAN 23 1996	Approved: JAN 29 1996
Returned to City Clerk: JAN 29 1996	Published: Full
Vetoed by Mayor:	Veto Published: (OK)
Passed over Veto:	Veto Sustained:

Full Council Vote 6-0

Committee Chair

ORDINANCE

117989

AN ORDINANCE vacating portions of South Washington Street from 12th Avenue South to 14th Avenue South, and of 13th Avenue South from South Main Street to East Yesler Way, on the petition of Seattle School District, and accepting a Property Use and Development Agreement King County Recording No. 9512110658 (Clerk File No. 294201).

WHEREAS, there has been filed with the City Council the petition of Seattle School District, (Clerk File No. 294201), for the vacation of portions of South Washington Street and of 13th Avenue South as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on January 8, 1986, said petition was conditionally granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioner has paid to the City \$399,700.00, which amount is one-half the appraised value of the property being vacated according to an appraisal obtained by the Director of Engineering and Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

SOUTH WASHINGTON STREET from the westerly line of 14th Avenue South; and to the easterly line of the 12th Avenue South Extension described as follows:

A line drawn southerly from the southwest corner of Block 1, Supplemental Plat of Block 1 and South Half of Block 2, Terry's Fourth Addition (Commonly known as Dorffel Supplemental) as recorded in Volume 3 of Plats, page 29, records of King County, Washington, to a point on the north line of Block 2, Terry's 4th Addition as recorded in Volume 2 of Plats, page 54, records of King County, Washington, said point being a distance of 16.92 feet west of the northwest corner of Lot 14, said block,

AND

13TH AVENUE SOUTH as established by Ordinance 11214 from the north line of South Main Street to the south line of South Washington Street;

AND

13TH AVENUE SOUTH as established by Ordinance 11214 from the north line of South Washington Street to the south line of East Yesler Way

be and the same are hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way abutting upon said property after said vacation.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 Section 2. That the Property Use and Development Agreement
2 executed by Seattle School District on December 11, 1995 (King
3 County Recording No. 9512110658) requiring that future development
4 or redevelopment of the property shall exclude the square footage
5 added by the vacation to limit future density to that which would
6 have been obtained had the vacation not taken place.

7 Section 3. This ordinance shall take effect and be in force
8 thirty (30) days from and after its approval by the Mayor, but if
9 not approved and returned by the Mayor within ten (10) days after
10 presentation, it shall take effect as provided by Municipal Code
11 Section 1.04.020.

12 Passed by the City Council the 22 day of
13 January, 1996, and signed by me in open
14 session in authentication of its passage this 22 day of
15 January, 1996.

16
17 Jon Drago
18 President _____ of the City Council.

19
20 Approved by me this 29 day of January, 1996.

21 Mormon B. Lee
22 Mayor.

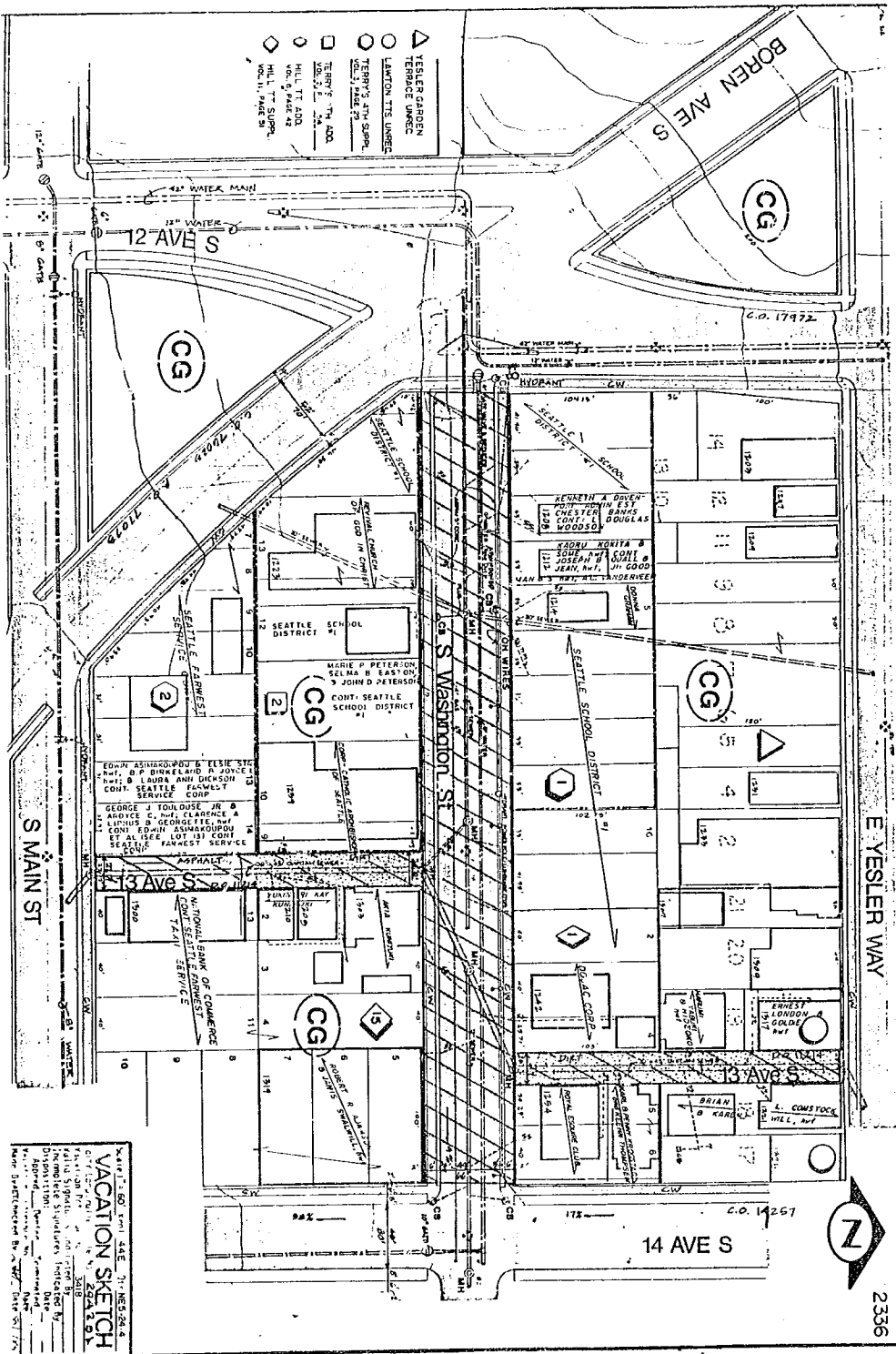
23 Filed by me this 29 day of January, 1996.

24 Margaret Carter
25 Clerk.

26
27 (SEAL)

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2356



ORDINANCE

117989

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9602140940

560214-0940 01:05:00 PM KING COUNTY RECORDS 003 PH: 9.00

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13 January, 1996, and signed by me in open
14 session in authentication of its passage this 22 day of
15 January, 1996.

16
17 John Drago
18 President of the City Council.

19
20 Approved by me this 29 day of January, 1996.
21 Norman B. Fie
22 Mayor.

23 Filed by me this 29 day of January, 1996.
24 Marquet Carter
25 Clerk.

26 (SEAL)

27 STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

28 } ss

29 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF Ordinance 119989

30 AS THE SAME APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT.

31 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 6th day of February, 1996

32 JUDITH E. PIPPIN
CITY CLERK

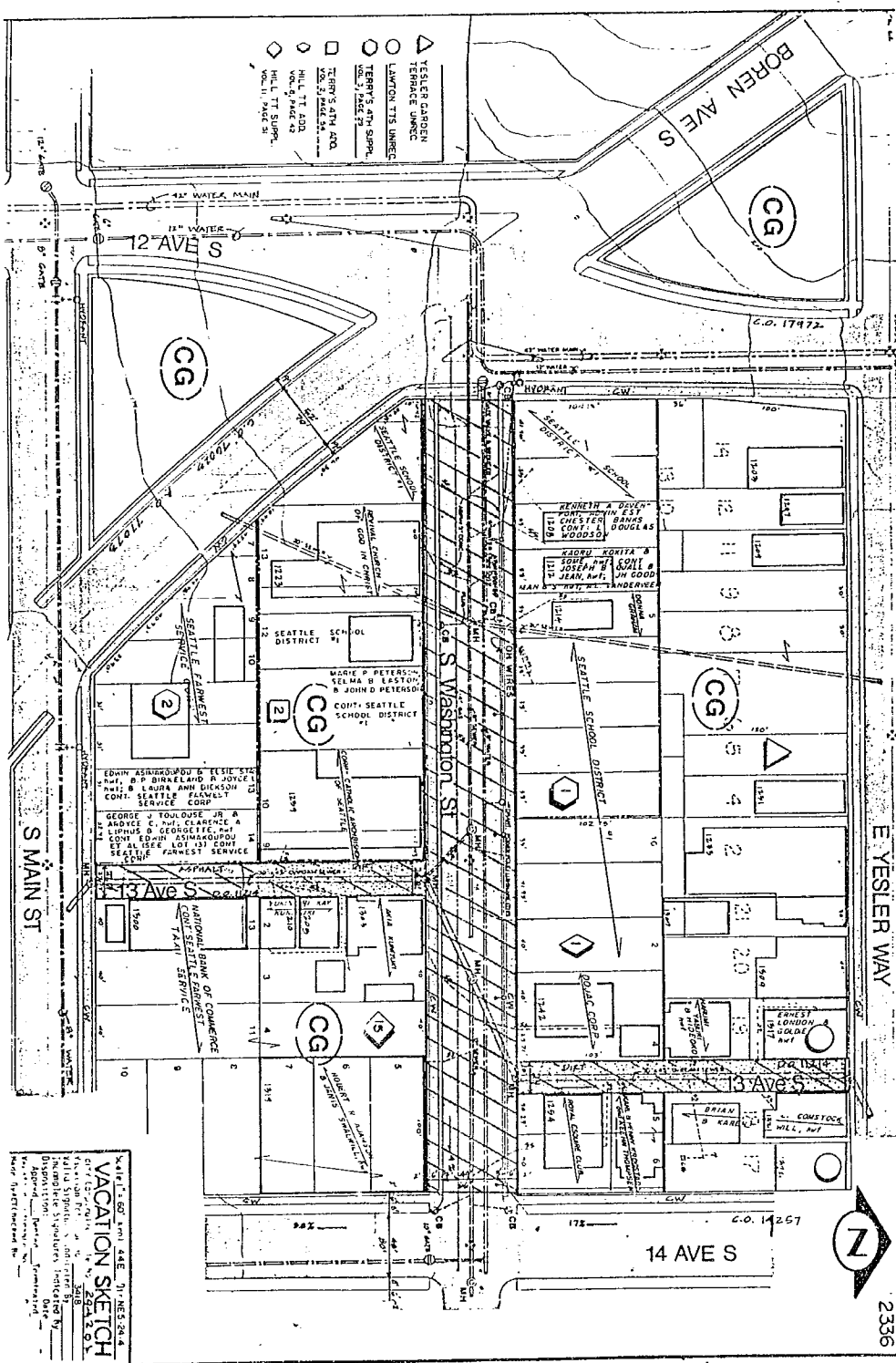
33 BY: Marquet Carter

DEPUTY CLERK

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9602140940

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Seattle
Engineering Department

John D. Okamoto, Director
Norman B. Rice, Mayor



December 21, 1995

Honorable Norman B. Rice
Mayor, City of Seattle
Seattle, Washington 98104

ATTENTION: Tom Tierney, Director
Office of Management and Planning

SUBJECT: Vacation of a Portion of South Washington Street and of
13th Avenue South, Clerk File No. 294201

Honorable Mayor Rice:

I am pleased to forward the Council Bill to vacate a portion of South Washington Street from 12th Avenue South to 14th Avenue South, and of 13th Avenue South from South Main Street to East Yesler Way (Clerk File No. 294201). The petition was filed by Seattle School District to assemble the site for construction of the new Bailey Gatzert School, replacing the original school which was closed due to structural deficiencies.

Background

Seattle School District acquired all the private properties bounded by East Yesler Way, South Main Street, 12th Avenue South, 14th Avenue South and Boren Avenue South to assemble the 7-acre site. The new school was sited in the Yesler Atlantic neighborhood, which the City had designated as a priority area for redevelopment activity. Construction of the school was viewed by the Department of Community Development as an enhancement to the City's effort to improve the neighborhood and create a more positive environment for neighborhood residents and children.

The new school, a one-story structure of approximately 46,000 square feet, has the capacity for 500 students. There are about 20 classrooms, a gymnasium, learning resource center, cafeteria, offices and other required spaces. Other improvements include hard and soft surface play areas, required parking, bus loading area and service area. The new school opened its doors in September, 1988.

Following a public hearing held on January 8, 1986 the City Council granted the vacation subject to certain conditions. In addition to conveying easements for affected utilities, Seattle School District was required to dedicate private property to provide additional right-of-way on Boren Avenue where principal access to the school occurs and at bus loading facilities.

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Seattle Engineering Department, Room 400, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1879 (206) 684-5000 VTDD (206) 233-1088

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Honorable Mayor Rice
December 21, 1995
Page 2

An additional concern involved the consolidated site resulting from the vacation which established development that is one block larger than any in the immediate area. The Council required the execution and recording of a Property Use and Development Agreement (PUDA) limiting future density to that which would have occurred if the vacation had not taken place.

Soon after conditional approval was granted, Seattle School District researched the possibility of exchanging property or services of equal value for the street vacation fee in lieu of making a cash payment. Seattle School District has not been able to identify any surplus property suitable to the City and we recently received payment of the vacation fee thus completing the final step in the vacation process.


Recommendation

The petitioner has satisfied all the conditions of the street vacation which include the following:

- Grant an easement for existing combined sanitary and storm sewer to the Drainage and Wastewater Utility,
- Convey a deed for street purposes for additional right-of-way on Boren Avenue for school access and bus loading,
- Execute and record a Property Use and Development Agreement (PUDA) limiting future density,
- A fee of \$399,700, which is one-half the appraised value of the property according to an appraisal obtained by the Director of Engineering, has been paid for the vacation of a portion of South Washington Street and 13th Avenue South.

I recommend approval of this Council Bill.

Sincerely,


John D. Okamoto, Director
Seattle Engineering Department

JDO/MLS:mls

cc: Joe Jainga, Washington Natural Gas Company
Christine Price, U.S. West Communications
Susan Solberg, Metro
Lionel Sun, Water Department
James Young, Seattle Steam Company


Enclosure

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor



December 21, 1995

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Engineering

SUBJECT: AN ORDINANCE vacating portions of South Washington Street from 12th Avenue South to 14th Avenue South, and of 13th Avenue South from South Main Street to East Yesler Way on the petition of Seattle School District, and accepting a Property Use and Development Agreement, King County Recording No. 9512110658 (Clerk File No. 294201).

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kwan Wong at 4-8083.

Sincerely,

Norman B. Rice
Mayor

by

for Tom Tierney

Enclosure

legis:wong17

O/K
MB
12-28-95

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64238
City of Seattle, City Clerk

—SS.

No. ORD IN FULL

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[illegible]

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:117989

was published on

02/07/96

The amount of the fee charged for the foregoing publication is the sum of \$ 11.00, which amount has been paid in full.

Subscribed and sworn to before me on

02/07/96

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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STATE OF WASHINGTON - KING COUNTY

64238
City of Seattle, City Clerk

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City of Seattle

ORDINANCE 117989

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Passed by the City Council the 22nd day of January, 1996, and signed by me in open session in authentication of its passage this 22nd day of January, 1996.

JAN DRAGO
President of the City Council.
Approved by me this 29th day of January, 1996.

NOTMAN D. RICE, Mayor.
Filed by me this 29th day of January, 1996.
(Seal) MARGARET CARTER,
Clerk.

Publication ordered by JUDITH PIP-
PIN, City Clerk.

Date of official publication in Daily
Journal of Commerce, Seattle, February 7,
1996.
2/7(64238)

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